

INVENTOR: SEYMOUR et al.  
Serial No. 10/764,977

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## REMARKS

### A. Introduction

Claims 1-17 are pending and under consideration with claims 1-7 and 12 previously withdrawn.

In the Office Action, claims 8-11 and 13-18 were rejected.

Without conceding to the merits of the rejection, claim 13 has been amended to an independent form, claims 12 and 18 are cancelled, and claims 19 and 20 are new. No new matter has been introduced.

In view of the following remarks, reconsideration and allowance of all the pending claims are requested.

### B. Rejection under 35 USC §112

Claim 18 was rejected under 35 USC §112, first paragraph, as failing to comply with the written description requirement.

Without conceding to the merits of the rejection, claim 18 has been cancelled.

Accordingly, reconsideration and withdrawal of the rejection are requested.

### C. Rejection under 35 USC §101

Claim 18 was rejected under 35 USC §101 as lacking utility.

Without conceding to the merits of the rejection, claim 18 has been cancelled.

Accordingly, reconsideration and withdrawal of the rejection are requested.

### D. Rejection under 35 USC §103

Claims 8-11 and 13-18 were rejected under 35 U.S.C. §103 as unpatentable over U.S. Patent No. 5,383,293 to Royal in view of U.S. Patent No. 3,284,113 to Howell. The rejections are traversed for at least the following reasons.

Independent claim 8 presently recites, *inter alia*, "said backing includes an access panel to said enclosed space to (i) provide access to the single piece spacer and transparent display panel, and (ii) permit removal of the single piece spacer and the transparent display panel from said frame." As provided by the Specification, the access panel advantageously allows access

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to and removal of internal elements of the present general inventive concept. See Spec., para. 0056.

In attempt to meet this recitation, the Examiner relies on Royal. See the Office Action, page 5. However, Royal is limited to a slot 54, which is not the same as a "panel," as recited by independent claim 13. Further, it is clear from Royal figure 11 that the slot 54 is unable to permit access to and removal of a single piece spacer and transparent display panel, as required by independent claim 8. The other art of record also fails to disclose or suggest such.

Accordingly, reconsideration and withdrawal of the rejections of independent claim 8 are requested. Claims depending from independent claim 8 contain all of the features of independent claim 8, and, therefore, are patentable over the art of record for at least the same reason as independent claim 8. Additionally, at least claims 14, 17, and 20, which depend from independent claim 8, are patentable in view of their own recitations.

Claim 14 recites "wherein said spacer is positioned within said frame without the use of an adhesive." None of the art of record discloses or suggests such. Royal and Howell are silent regarding such.

Claim 17 recites "wherein said backing is mounted to said back side of said frame and extends along said back-most edge of said back side of said frame to an outer perimeter defined by said frame." None of the art of record discloses or suggests such. Royal has a backing board 20 that terminates upon abutting a frame 11. Howell is silent regarding a backing.

Claim 20 recites "wherein said access panel to said enclosed space includes a frame support element thereon." None of the art of record discloses or suggests such. Royal is limited to a slot that does not have a frame support element. Howell is also silent regarding a frame support element.

Accordingly, at least claims 14, 17, and 20 are patentable over the art of record in view of their own limitations in addition to their dependence from independent claim 8.

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**E. New Claims**

New claims 19 and 20 have been added. Support for the new claims can be found in the specification and drawings, for example, in Figs. 7-9 and corresponding portions of the Specification. New claims 19 and 20 recite features, which are not disclosed or suggested in the prior art of record.

Accordingly, it is respectfully submitted that new claims 19 and 20 do not present new matter and are allowable over the prior art of record, and allowance of these claims is earnestly solicited.

**F. Conclusion**

It is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, there being no other objections or rejections, this application is in condition for allowance, and a notice to this effect is earnestly solicited.

If any further fees are required in connection with the filing of this amendment, please charge the same to our Deposit Account No. 19-3140.

Respectfully submitted,

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